



5:18-cr-00317-JGB



Fw: Activity in Case 3:13-cr-03650-W USA v. Salazar Notice to Receiving District of Criminal Case Transfer

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5: 18-cr-317 JG B

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From: efile_information@casd.uscourts.gov
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Date: 11/23/2018 09:47 AM
Subject: Activity in Case 3:13-cr-03650-W USA v. Salazar Notice to Receiving District of Criminal Case Transfer

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U.S. District Court

Southern District of California

Notice of Electronic Filing

The following transaction was entered on 11/23/2018 at 9:46 AM PST and filed on 11/23/2018

Case Name: USA v. Salazar
Case Number: [3:13-cr-03650-W](#)
Filer:
Document Number: 35(No document attached)

Docket Text:

NOTICE to Receiving District (Central District of California) of Criminal Case Transfer, as to Edward Salazar. The following documents are available on the public docket: [25] Judgment, [11] Information - Felony, [34] Transfer Out/Probationer. To request additional transfer information and/or to submit acknowledgment re receipt of transfer, please email

InterdistrictTransfer_CASD@casd.uscourts.gov. (no document attached) (jpp)

3:13-cr-03650-W-1 Notice has been electronically mailed to:

Michael E Lasater Michael.Lasater@usdoj.gov, CaseView.ECF@usdoj.gov,
efile.dkt.gc1@usdoj.gov, janice.griffin@usdoj.gov

Cynthia Lynne Millsaps Cynthia.Millsaps@usdoj.gov, dawn.keenan@usdoj.gov,
efile.dkt.nes@usdoj.gov, james.dunnell@usdoj.gov, joan.walker@usdoj.gov

Karen C. Lehmann karen_lehmann@fd.org, sandra_riley@fd.org

Ryan A. Sausedo Ryan.Sausedo@usdoj.gov, CaseView.ECF@usdoj.gov,
Efile.dkt.gc1@usdoj.gov, luis.fuentes@usdoj.gov, nadia.mira@usdoj.gov

3:13-cr-03650-W-1 Notice has been delivered by other means to:

CLOSED, PROBATION TRANSFER

**U.S. District Court
Southern District of California (San Diego)
CRIMINAL DOCKET FOR CASE #: 3:13-cr-03650-W All Defendants**

Case title: USA v. Salazar
Magistrate judge case number: 2:13-mj-08722-PCL

Date Filed: 10/03/2013
Date Terminated: 02/03/2014

Assigned to: Judge Thomas J. Whelan

Defendant (1)

Edward Salazar
TERMINATED: 02/03/2014

represented by **Edward Salazar**
40583-298
FEDERAL CORRECTIONAL
INSTITUTION
Inmate Mail/Parcels
1900 SIMLER AVE
BIG SPRING, TX 79720
PRO SE

Federal Defenders
Federal Defenders of San Diego
225 Broadway
Suite 900
San Diego, CA 92101-5008
(619)234-8467
Fax: (619)687-2666
Email: cassd_ecf@fd.org
TERMINATED: 09/09/2013
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Karen C. Lehmann
Federal Defenders of San Diego
225 Broadway
Suite 900
San Diego, CA 92101
(619)234-8467
Email: karen_lehmann@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

21:952 and 960 - Importation of
Methamphetamine (Felony)
(1)

Disposition

Custody of BOP for a term of 60
months. Supervised release for 3 years.
\$100 Assessment. Fine Waived.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

21:952 and 960 - Importation of a
Controlled Substance
(Methamphetamine)(Felony)

Disposition**Plaintiff**

USA

represented by **U S Attorney CR**
U S Attorneys Office Southern District
of California
Criminal Division
880 Front Street
Room 6293
San Diego, CA 92101
(619)557-5610
Fax: (619)557-5917
Email: Efile.dkt.gc2@usdoj.gov
TERMINATED: 11/18/2013
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ATTORNEY TO BE NOTICED
Designation: Assistant United States
Attorney

Cynthia Lynne Millsaps

U S Attorneys Office Southern District
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Criminal Division
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(619)546-7940
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Email: Cynthia.Millsaps@usdoj.gov
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Michael E Lasater
U S Attorneys Office Southern District
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(619)546-7462
Fax: (619)546-0465
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ATTORNEY TO BE NOTICED
Designation: Assistant United States Attorney

Ryan A. Sausedo
DOJ - U.S. Attorney's Office
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Email: Ryan.Sausedo@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant United States Attorney

Date Filed	#	Docket Text
09/04/2013		Arrest of Edward Salazar 09/04/13 (no document attached) (tar) (cap). [2:13-mj-08722-PCL] (Entered: 09/05/2013)
09/05/2013	<u>1</u>	COMPLAINT as to Edward Salazar. (Copies provided to Counsel in Court). Initial Appearance set for 9/5/2013 in El Centro before Magistrate Judge Peter C. Lewis. Preliminary Hearing set for 9/19/2013 01:30 PM in El Centro before Magistrate Judge Peter C. Lewis. Arraignment set for 10/3/2013 01:30 PM in El Centro before Magistrate Judge Peter C. Lewis. (Attachments: # <u>1</u> info sheet)(tar) (cap). [2:13-mj-08722-PCL] (Entered: 09/05/2013)
09/05/2013	2	Minute Entry for proceedings held before Magistrate Judge Peter C. Lewis: Initial Appearance as to Edward Salazar held on 9/5/2013. Appointed Attorney Federal Defenders for Edward Salazar. Government oral motion for detention due to risk of flight. No bail. Preliminary Hearing set for 09/19/13 at 1:30 pm.

		Arraignment set for 10/03/13 at 1:30 pm. Detention Hearing set for 9/10/2013 01:30 PM in El Centro before Magistrate Judge Peter C. Lewis. (CD# 9/5/2013 PCL:01-3:20-3:25). (Plaintiff Attorney Karla K. Davis, AUSA). (Defendant Attorney Mayra Gonzalez, FD). (no document attached) (tar) [2:13-mj-08722-PCL] (Entered: 09/06/2013)
09/05/2013	3	***English. No Interpreter needed as to Edward Salazar (no document attached) (tar) [2:13-mj-08722-PCL] (Entered: 09/06/2013)
09/05/2013	4	ORAL MOTION to Detain by USA as to Edward Salazar. (no document attached) (tar) [2:13-mj-08722-PCL] (Entered: 09/06/2013)
09/05/2013	5	CJA 23 Financial Affidavit by Edward Salazar (tar) [2:13-mj-08722-PCL] (Entered: 09/06/2013)
09/09/2013	6	NOTICE OF ATTORNEY APPEARANCE: Karen C. Lehmann appearing for Edward Salazar (Lehmann, Karen)Attorney Karen C. Lehmann added to party Edward Salazar(pty:dft) (cxl). [2:13-mj-08722-PCL] (Entered: 09/09/2013)
09/09/2013	7	Notice of Assertion of Rights by Edward Salazar (Lehmann, Karen) (cxl). [2:13-mj-08722-PCL] (Entered: 09/09/2013)
09/10/2013	8	Minute Entryfor proceedings held before Magistrate Judge Peter C. Lewis: Detention Hearing as to Edward Salazar held on 9/10/2013. Defendant stipulates to detention w/out prejudice. USA oral motion for detention; 4 motion granted as to Edward Salazar. Order of detention to be submitted by AUSA. (CD# 9/10/2013 PCL 1: 1:47 - 1:48). (Plaintiff Attorney Matthew Brehm). (Defendant Attorney James Johnson). (no document attached) (erf) [2:13-mj-08722-PCL] (Entered: 09/11/2013)
09/12/2013	9	FINDINGS OF FACT AND ORDER OF DETENTION as to Edward Salazar. Signed by Magistrate Judge Peter C. Lewis on 09/12/13. (tar) [2:13-mj-08722-PCL] (Entered: 09/13/2013)
09/19/2013	10	Minute Entry for proceedings held before Magistrate Judge Peter C. Lewis: Preliminary Hearing Continued as to Edward Salazar. Defense oral motion to continue hearing granted. Arraignment set for 10/3/2013 01:30 PM in El Centro before Magistrate Judge Peter C. Lewis. (CD# 9/19/2013 PCL 1: 1:38 - 1:41). (Plaintiff Attorney Karla Davis). (Defendant Attorney James Johnson). (no document attached) (erf) [2:13-mj-08722-PCL] (Entered: 09/20/2013)
10/03/2013	11	INFORMATION as to Edward Salazar (1) count(s) 1. (tar) (cap). (Entered: 10/04/2013)
10/03/2013	12	WAIVER OF INDICTMENT by Edward Salazar (tar) (Entered: 10/04/2013)
10/03/2013	13	Minute Entry for proceedings held before Magistrate Judge Peter C. Lewis: Arraignment on the information as to Edward Salazar (1) Count 1 held on 10/3/2013. Not Guilty plea entered. Change of Plea Hearing set for 10/21/2013 09:00 AM in Courtroom 3C before Judge Thomas J. Whelan. (CD# 10/3/2013 PCL 1: 1:56 - 2:00). (Plaintiff Attorney Karla Davis). (Defendant Attorney Mayra Gonzalez). (no document attached) (erf) (Entered: 10/04/2013)
10/10/2013	14	NOTICE OF HEARING as to Defendant Edward Salazar. On Court's own

		motion, Change of Plea Hearing set for 10/21/2013 10:30 AM in Courtroom 3C before Judge Thomas J. Whelan. (Change in time only)(no document attached) (bjb) (Entered: 10/10/2013)
10/21/2013	15	Minute Entry for proceedings held before Judge Thomas J. Whelan: Change of Plea not held as to Edward Salazar. Defense oral motion to continue hearing granted. Defense oral motion to preserve drugs, car, and videotape-Granted. (Status Hearing set for 11/13/2013 09:00 AM in Courtroom 3C before Judge Thomas J. Whelan.) Defense oral motion to remove shackles and evidentiary hearing regarding removal of shackles-Denied. (Court Reporter Debra Henson). (AUSA Paul Cook). (Defense Attorney FD Karen Lehman). (no document attached) (bjb) (Entered: 10/22/2013)
11/13/2013	16	Minute Entry for proceedings held before Judge Thomas J. Whelan: Change of Plea Hearing as to Edward Salazar held on 11/13/2013. Plea entered by Edward Salazar (1) Guilty Count 1. PSR Ordered. Sentence With PSR set for 2/3/2014 09:00 AM in Courtroom 3C before Judge Thomas J. Whelan. (Court Reporter Frank Rangus). (AUSA Ale Serano). (Defense Attorney FD Karen Lehmann). (no document attached) (bjb) (Entered: 11/13/2013)
11/13/2013	17	PLEA AGREEMENT as to Edward Salazar (bjb) (Entered: 11/13/2013)
11/18/2013	18	NOTICE OF ATTORNEY APPEARANCE Ryan A. Sausedo appearing for USA. (Sausedo, Ryan)Attorney Ryan A. Sausedo added to party USA(pty:pla) (srm). (Entered: 11/18/2013)
12/23/2013	19	PRE-SENTENCE REPORT as to Edward Salazar. Report prepared by: Michael Morrill. (Document applicable to USA, Edward Salazar.) (Ortiz, R.) (knb). (Entered: 12/23/2013)
01/27/2014	20	SENTENCING SUMMARY CHART by USA as to Edward Salazar (Sausedo, Ryan). Modified on 1/28/2014 - Edited text (jah). (Entered: 01/27/2014)
01/28/2014	21	OBJECTION TO PRESENTENCE INVESTIGATION REPORT by Edward Salazar (Lehmann, Karen). (jah). (Entered: 01/28/2014)
01/28/2014	22	SENTENCING MEMORANDUM by Edward Salazar (Attachments: # 1 Exhibit A-C)(Lehmann, Karen). (jah). (Entered: 01/28/2014)
01/28/2014	23	SENTENCING SUMMARY CHART by Edward Salazar (Lehmann, Karen). (jah). (Entered: 01/28/2014)
02/03/2014	24	Minute Entry for proceedings held before Judge Thomas J. Whelan: Sentence With PSR Hearing held on 2/3/2014 for Edward Salazar (1), Count(s) 1: Custody of BOP for a term of 60 months. Supervised release for 3 years. \$100 Assessment. Fine Waived.. (Court Reporter Frank Rangus). (AUSA Ryan Sausedo). (Defense Attorney FD Karen Lehmann). (no document attached) (bjb) (Entered: 02/03/2014)
02/03/2014	25	JUDGMENT as to Edward Salazar (1), Count(s) 1: Custody of BOP for a term of 60 months. Supervised release for 3 years. \$100 Assessment. Fine Waived. Signed by Judge Thomas J. Whelan. (bjb) (cap). (Entered: 02/03/2014)
04/03/2014	26	Judgment Returned Executed as to Edward Salazar on 3/19/2014. (jah)

		(Entered: 04/03/2014)
08/18/2015	27	MOTION to Reduce Sentence - USSC Amendment 782 by Edward Salazar. (jpp) (Entered: 08/18/2015)
03/04/2016	28	RESPONSE in Opposition by USA as to Edward Salazar re 27 MOTION to Reduce Sentence - USSC Amendment 782 (Millsaps, Cynthia) (jao). (Entered: 03/04/2016)
03/09/2016	29	ORDER Denying 27 Motion to Reduce Sentence - USSC Amendment 782 as to Edward Salazar (1). Signed by Judge Thomas J. Whelan on 3/9/2016.(jao) (Entered: 03/09/2016)
03/30/2017	30	Mail Returned as Undeliverable. Mail addressed to Edward Salazar. Defendant address updated, and mail re-sent to new address. (All non-registered users served via U.S. Mail Service)(jao) (Entered: 03/31/2017)
11/09/2018	31	USPO Request for Modifying the Conditions or Term of Supervision and Order thereon in case as to Edward Salazar. Upon approval, jurisdiction to be transferred to Central District California. Signed by Judge Thomas J. Whelan on 11/01/2018. (Urbano, L.) (Entered: 11/09/2018)
11/23/2018	32	Probation Jurisdiction Transferred to Central District of California as to Edward Salazar. Signed by Judge Thomas J. Whelan on 11/1/2018.(jao) (Entered: 11/23/2018)
11/23/2018	33	NOTICE to Receiving District (Central District of California) of Criminal Case Transfer, as to Edward Salazar. The following documents are available on the public docket: 25 Judgment, 29 Order on Motion to Reduce Sentence - USSC Amendment 782, 11 Information - Felony, 32 Transfer Out/Probationer, 12 Waiver of Indictment, 9 Findings of Fact and Order of Detention, 1 Complaint. To request additional transfer information and/or to submit acknowledgment re receipt of transfer, please email InterdistrictTransfer_CASD@casd.uscourts.gov. (no document attached) (jao) (Entered: 11/23/2018)
11/23/2018	34	Probation Jurisdiction Transferred to Central District of California as to Edward Salazar. Signed by Judge Thomas J. Whelan on 11/01/2018.(jpp) (Entered: 11/23/2018)
11/23/2018	35	NOTICE to Receiving District (Central District of California) of Criminal Case Transfer, as to Edward Salazar. The following documents are available on the public docket: 25 Judgment, 11 Information - Felony, 34 Transfer Out/Probationer. To request additional transfer information and/or to submit acknowledgment re receipt of transfer, please email InterdistrictTransfer_CASD@casd.uscourts.gov. (no document attached) (jpp) (Entered: 11/23/2018)

FILED

2013 SEP -5 AM 10:47

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY TAR

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Edward SALAZAR,

Defendant.

Case No.: **'13 MJ8 722**

COMPLAINT FOR VIOLATION OF:

Title 21, U.S.C., § § 952 & 960
Importation of a Controlled Substance
(Felony)


The undersigned complaint being duly sworn states:

On or about September 4, 2013, within the Southern District of California, defendant, Edward SALAZAR, did knowingly and intentionally import approximately 15.28 kilograms (33.68 pounds) of Methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 and 960.

//

//

1 The complainant states this complaint is based on the attached Statement of Facts
2 incorporated herein by reference.

3
4 
5 Robert Zdanowicz, Special Agent
Homeland Security Investigations

6 SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 5TH
7 DAY OF SEPTEMBER 2013.

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10 HON. PETER C. LEWIS
11 UNITED STATES MAGISTRATE JUDGE
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1 UNITED STATES OF AMERICA

2 v.

3 Edward SALAZAR

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5 STATEMENT OF FACTS

6 This Statement of Facts is based on the reports, documents, and notes furnished to
7 Homeland Security Investigations (HSI) Special Agent (SA) Brian Quigg.

8
9 On September 4, 2013, at approximately 0940 hours, Edward SALAZAR
10 (SALAZAR), a United States Citizen, applied for entry into the United States at the
11 Calexico, California, West Port of Entry (POE). SALAZAR had in his possession a
12 United States Birth Certificate, which indicated he was born in El Paso, Texas.
13 SALAZAR was operating a 2002 Jeep Liberty, bearing California license plate 7BBD474.
14 SALAZAR was the driver, sole occupant, and registered owner of the Jeep Liberty.
15

16
17 Customs and Border Protection Officer (CBPO) J. Escobell was working Primary
18 Lane # 1 at the POE when SALAZAR approached. CBPO Escobell received a negative
19 Customs declaration from SALAZAR. SALAZAR stated he had owned the vehicle for
20 one month, and that he was enroute to Palm Desert, California to visit his grandmother.
21 CBPO Escobell referred SALAZAR and the vehicle to secondary inspection area due to
22 the recent vehicle registration.
23

24
25 In the secondary inspection area, CBPO J. Carp and his K-9 partner "Maxo"
26 screened the Jeep Liberty and received a positive indication from the K-9 to the fuel tank
27 of the vehicle.
28

1 CBPO R. Horta continued the inspection of SALAZAR. CBPO Horta received a
2 negative Customs declaration from SALAZAR who stated he was enroute to pick up his
3 grandmother in Palm Desert. CBPO Carp informed CBPO Horta of the positive K-9 alert
4 to the fuel tank. CBPO Horta noticed the fuel tank felt solid. SALAZAR was escorted
5 the secondary office for a pat-down, which produced negative results. The fuel tank
6 sending unit was removed and CBPO Horta observed packages floating in the tank. The
7 fuel tank contained 30 packages wrapped in foil inside vacuum sealed zip lock bags. A
8 random package was probed and tested. The sample, a white crystal like substance, tested
9 positive for the characteristics of methamphetamine. The total weight of the 30 packages
10 was 15.28 kilograms (33.68 pounds).
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. '13 CR3650 W
)
Plaintiff,) I N F O R M A T I O N
)
v.) Title 21, U.S.C., Secs. 952 and
) 960 - Importation of
EDWARD SALAZAR,) Methamphetamine (Felony)
)
Defendant.)

The United States Attorney charges:

On or about September 4, 2013, within the Southern District of California, defendant EDWARD SALAZAR, did knowingly and intentionally import a mixture and substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

DATED: 10/3/13.

LAURA E. DUFFY
United States Attorney


PATRICK J. BUMATAY
Assistant U.S. Attorney

AO 455 (Rev. 5/85) Waiver of Indictment

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

OCT - 3 2013

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *EF* DEPUTY

UNITED STATES OF AMERICA

WAIVER OF INDICTMENT

v.

EDWARD SALAZAR

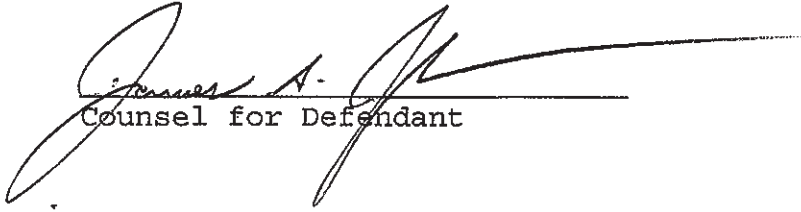
CASE NUMBER: 13CR3650-W

I, EDWARD SALAZAR, the above named defendant, who is accused
of committing the following offense:

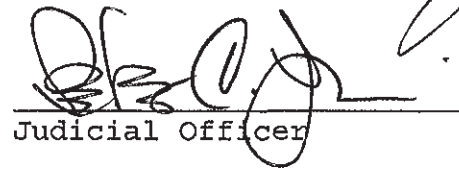
Importation of Methamphetamine, in violation of Title 21,
United States Code, Sections 952 and 960 (Felony),

being advised of the nature of the charge(s), the
proposed information, and of my rights, hereby waive in open court
on 10-3-13 prosecution by indictment and consent
that the proceeding may be by information rather than by
indictment.


Defendant


Counsel for Defendant

Before


Judicial Officer

AO 245B (CASD) (Rev. 12/11) Judgment in a Criminal Case

Sheet 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

EDWARD SALAZAR (I)

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 13CR3650-W

Karen C Lehmann, Federal Defenders Inc.

Defendant's Attorney

REGISTRATION NO. 40583298

☐

THE DEFENDANT:

☒ pleaded guilty to count(s) ONE OF THE INFORMATION☐

was found guilty on count(s) _____

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
21 USC 952, 960	IMPORTATION OF METHAMPHETAMINE	1


The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____☐ Count(s) _____ is ☐ are ☐ dismissed on the motion of the United States.☒ Assessment: \$100.00☒ Fine waived☐ Forfeiture pursuant to order filed _____, included herein.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

FEBRUARY 3, 2014

Date of Imposition of Sentence



HON. THOMAS J. WHELAN
UNITED STATES DISTRICT JUDGE

13CR3650-W

DEFENDANT: EDWARD SALAZAR (1)

CASE NUMBER: 13CR3650-W

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of SIXTY (60) MONTHS

- ☐ Sentence imposed pursuant to Title 8 USC Section 1326(b).
- ☒ The court makes the following recommendations to the Bureau of Prisons:
- That the defendant serve his custodial sentence in a western region facility
- That the defendant participate in the 500 hours drug treatment program (RDAP)

- ☐ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____ .

as notified by the United States Marshal.

- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before _____
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: EDWARD SALAZAR (1)

CASE NUMBER: 13CR3650-W

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :

THREE (3) YEARS

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

*For offenses committed on or after September 13, 1994:*The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 8 drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000, pursuant to 18 USC sections 3563(a)(7) and 3583(d).
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant must comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: EDWARD SALAZAR (1)
CASE NUMBER: 13CR3650-W**SPECIAL CONDITIONS OF SUPERVISION**

- ☒ Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
- ☐ If deported, excluded, or allowed to voluntarily return to country of origin, not reenter the United States illegally and report to the probation officer within 24 hours of any reentry to the United States; supervision waived upon deportation, exclusion or voluntary departure.
- ☐ Not transport, harbor, or assist undocumented aliens.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ The defendant shall not illegally enter the United States of America during the term of supervised release.
- ☒ Not enter or reside in the Republic of Mexico without written permission of the Court or probation officer.
- ☒ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☐ Participate in a program of mental health treatment as directed by the probation officer, take all medications as prescribed by a psychiatrist/physician, and not discontinue any medication without permission. The Court authorizes the release of the presentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. Allow for reciprocal release of information between the probation officer and the treatment provider. May be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.
- ☐ Take no medication containing a controlled substance without valid medical prescription, and provide proof of prescription to the probation officer, if directed.
- ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☐ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☐ Seek and maintain full time employment and/or schooling or a combination of both.
- ☒ Resolve all outstanding warrants within 60 days.
- ☐ Complete _____ hours of community service in a program approved by the probation officer within _____
- ☒ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of up to 120 days.
- ☐ Participate in a program of drug or alcohol abuse treatment, including urinalysis or sweat patch testing and counseling, as directed by the probation officer. Allow for reciprocal release of information between the probation officer and the treatment provider. May be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
EDWARD SALAZAR,
Defendant.

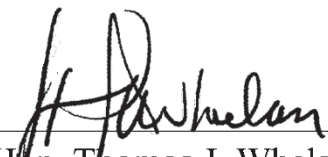
Case No.: 13-cr-3650 W

**ORDER DENYING DEFENDANT'S
MOTION FOR SENTENCE
REDUCTION [DOC. 27]**

Pending before the Court is Defendant Edward Salazar's motion for reduction of sentence under Title 18, United States Code, Section 3582(c)(2). Having reviewed the moving papers and opposition, the Court finds Defendant is not entitled to a sentence reduction because the amended guidelines are higher than his original sentence.

Accordingly, Defendant's motion [Doc. 27] is **DENIED**.

Dated: March 9, 2016


Hon. Thomas J. Whelan
United States District Judge